

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JASON C. SHERMER and MATTHEW J. HOLLAND

Application 10/072,435

MAILED

MAY 21 2007

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

COMMUNICATION VACATING ORDER
AND
ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences (hereinafter the "Board") on February 23, 2007.

A review of the electronic file record reveals that on March 15, 2007, an Order Returning Undocketed Appeal was mailed. This Order is hereby vacated.

REPLY BRIEF

Appellants filed a Reply Brief on October 30, 2006. A review of the record reveals the Reply Brief has not been considered and/or acknowledged.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) to properly consider and acknowledge Appellants Reply Brief filed on October 30, 2007, and
- (2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: *Patrick J. Nolan*
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PJN:clj

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